

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Dawnyell Flynn,
Plaintiff,
v.
Detective Todd Williams, *et al.*,
Defendant.

Case No.: 2:24-cv-00563-APG-BNW

ORDER

On June 13, 2024, pro se plaintiff applied to proceed *in forma pauperis*. ECF No. 8. Plaintiff's application to proceed *in forma pauperis* is incomplete because (1) Plaintiff's financial certificate is incomplete and (2) she did not submit an inmate trust fund account statement for the previous six-month period with the application. The Court will deny Plaintiff's application without prejudice and give Plaintiff the opportunity to correct these deficiencies **by August 22, 2024**.

I. DISCUSSION

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*

1 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
2 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 As explained above, Plaintiff's application to proceed *in forma pauperis* is
4 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*
5 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing
6 fee or file a new fully complete application to proceed *in forma pauperis* with all three
7 required documents.

8 **II. CONCLUSION**

9 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 8)
10 is denied without prejudice.

11 It is further ordered that Plaintiff has **until August 24, 2024**, to either pay the full
12 \$405 filing fee or file a new fully complete application to proceed *in forma pauperis* with
13 all three required documents: (1) a completed application with the inmate's two signatures
14 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
15 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
16 previous six-month period.

17 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
18 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
19 to refile the case with the Court, under a new case number, when Plaintiff can file a
20 complete application to proceed *in forma pauperis* or pay the required filing fee.

21 The Clerk of the Court is directed to send Plaintiff the approved form application to
22 proceed *in forma pauperis* for an inmate and instructions for the same and retain the
23 complaint (ECF No. 1-1) but not file it at this time.

24 DATED this 24th day of June, 2024.

25
26 

27 Brenda Weksler
28 United States Magistrate Judge